

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: South Pryor Creek Development Center LLC, P.O. Box 30758, Billings, MT 59107
2. Type of action: Application for Beneficial Water Use Permit No. 43Q 30104752
3. Water source name: Groundwater
4. Location affected by project: Section 4 T2S R29E
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The applicant proposes to divert water from groundwater, by means of a 4494 foot deep well completed in the Madison Group Aquifer, from January 1 to December 31 at 65.6 GPM up to 105.8 AF, from a point in the NENWNW Section 4 T2S R29E, for stock, domestic and other (office, shop) use from January 1 to December 31. The Applicant proposes a 6.4 AF capacity storage reservoir. The place of use includes an existing feedlot and multiple stock tanks on surrounding pasture land generally located approximately 18 miles east southeast of Billings on Highway 87. This environmental assessment only considers the effects of beneficial use of groundwater from the well. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)
Montana Department of Fish, Wildlife and Parks
Montana Natural Heritage Program
Montana Sage Grouse Habitat Conservation Program
United States Fish and Wildlife Service
National Resource Conservation Service, Web Soil Survey
Montana Department of Natural Resources and Conservation

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – The source of supply is groundwater and so is not listed as chronically or periodically dewatered. Appropriation of groundwater by this application would deplete the Yellowstone River near Billings. The Yellowstone River is listed as periodically dewatered by the Montana Department of Fish, Wildlife and Parks. The modeled depletion of the Yellowstone River due to this application is approximately 9 AF/month. Typical low flow in the Yellowstone River at Billings is over 150,000 AF/month. Surface water depletion by the proposed well will not substantially worsen the periodical dewatering of the Yellowstone River.

Determination: No significant impact.

Water quality – Minor depletion to the Yellowstone River will have no effect upon the river's water quality.

Determination: No impact.

Groundwater – Because the proposed well is deep, completed in the Madison Group Aquifer, and is the only well of that depth in the region, there will be no significant impact to groundwater quantity. No water from this appropriation will return to the source of supply and the water quality in the aquifer will not be affected. Potential effects on hydraulically connected surface water are discussed above.

Determination: No significant impact.

DIVERSION WORKS – The diversion works consist of a single well that ties into existing reservoirs and pipelines. The new reservoir would be at the north edge of the existing feedlot. There are no streams near the well or between the well and either existing or proposed storage reservoirs. The well, pipeline and reservoir will not impact any channels or riparian areas and will not create any barriers or flow modifications.

Determination: No significant impact.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – The Montana Natural Heritage Program lists two animal species of concern within the affected area. These are the Black-tailed Prairie Dog and the Burrowing Owl. There are no listed plant species of concern. The area of the proposed project lies within general Sage Grouse habitat as defined by the Montana Sage Grouse Habitat Conservation Program but the application was submitted prior to the January 1, 2016, effective date of the requirement for consultation. The proposed project will not change current land use or create barriers to migration. The project lies entirely within the area currently used for the livestock feeding operation.

Determination: No significant impact.

Wetlands – The United States Fish and Wildlife Service National Wetlands Inventory shows no wetlands in the potentially affected area.

Determination: No Impact.

Ponds – The proposed project does not involve ponds. A storage reservoir is proposed but would not negatively alter existing habitat or resources.

Determination: No significant impact.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – The principle soils in the area of the project are Haverson and Lohmiller soils with 0 to 35% slopes and Hydro-Arvada clay loam with 0 to 2% slope. Because the water appropriated by this project would be used exclusively for stock watering, domestic and shop/office use, there would be no degradation of soils or changes to stability or moisture content. Although some of the local soils are saline, the water use would not create saline seep because it is not applied to the ground.

Determination: No impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – There is essentially no existing vegetative cover in the proposed project area because it is used as a feedlot. The use of the proposed well is unlikely to result in establishment or spread of noxious weeds. It will be the responsibility of the landowner to control noxious weeds.

Determination: No impact.

AIR QUALITY – The use of groundwater at the existing feedlot will not change air quality or increase pollutants.

Determination: No significant impact

HISTORICAL AND ARCHEOLOGICAL SITES – The project is not located on state or federal lands.

Determination: Not applicable.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY – This particular project to provide stock water from a well will not increase any existing impacts on environmental resources.

Determination: No significant impact

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS – There are no known locally adopted environmental plans or goals. The feedlot is regulated under a Concentrated Animal Feeding Operation permit.

Determination: No significant impact

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – The proposed project is not located near any recreational or wilderness areas and does not provide access to any such areas.

Determination: No impact

HUMAN HEALTH – Using groundwater for stock at an existing feedlot has little potential to affect human health.

Determination: No significant impact

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

*Yes___ No **X**___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination: Not applicable

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? No significant impact*
- (b) Local and state tax base and tax revenues? No significant impact*
- (c) Existing land uses? No significant impact*
- (d) Quantity and distribution of employment? No significant impact*
- (e) Distribution and density of population and housing? No significant impact*
- (f) Demands for government services? No significant impact*
- (g) Industrial and commercial activity? No significant impact*
- (h) Utilities? No significant impact*
- (i) Transportation? No significant impact*
- (j) Safety? No significant impact*
- (k) Other appropriate social and economic circumstances? No significant impact*

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: No secondary impacts associated with this project are recognized. The feedlot has other sources of water available and the ability to appropriate water from the proposed well will not affect the existence of the feedlot. The feedlot itself is permitted under a Concentrated Animal Feeding Operation permit.

Cumulative Impacts: There are no pending or anticipated permits in the area of the proposed project and no cumulative impacts are recognized.

3. ***Describe any mitigation/stipulation measures:*** None
4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The only reasonable alternative to the proposed appropriation of groundwater is the no action alternative. The no action alternative does not prevent or minimize any recognized environmental impacts and would prevent the Applicant from obtaining a reliable source of water for use at the feedlot.

PART III. Conclusion

1. ***Preferred Alternative:*** Issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.
2. ***Comments and Responses:*** None
3. ***Finding:***
Yes___ No_X__ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: An environmental assessment is the appropriate level of analysis for this project because no significant impacts resulting from the appropriation of groundwater for stock, domestic and shop/office use were found.

Name of person(s) responsible for preparation of EA:

Name: Mark Elison

Title: Hydrologist

Date: 5/9/2016